Issuance Date: June 26, 2006
Effective Date: July 1, 2006
Expiration Date: June 30, 2011

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

City of Vader
P.O. Box 189
Vader, Washington 98593

Plant Location:

End of A Street
Vader, Washington

Water Body I.D. No.:

WA-26-1092

Plant Type:

Three Cell Lagoon

Receiving Water:

Olequa Creek - approximately 3 miles upstream of the confluence with the Cowlitz River

Discharge Location:

Latitude: 46° 23' 44" N
Longitude: 122° 57' 23" W

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is authorized to discharge in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.
Southwest Region Manager
Water Quality Programs
Washington State Department of Ecology

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SUMMARY OF SCHEDULED PERMIT REPORT SUBMITTALS

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Discharge Monitoring Report	Monthly, no later than the 15th day of the month following the completed reporting period	August 15, 2006
S4.B.	Plan for maintaining adequate capacity	as necessary	
S4.C.	Notification of new or altered sources	as necessary	
S4.D.	Infiltration and Inflow Evaluation	Annually	February 1, 2007
S4.E.	Annual Assessment of Flow and Waste Load	Annually	February 1, 2007
S5.B.	Updated Operation and Maintenance Manual	as necessary	
S5.D.	Notice of Short-term Reduction in Treatment Level	as necessary	
S6.	Report on Construction- or Maintenance-related Bypass	as necessary	
S8.B.	Notice of New Significant Industrial Users	as necessary	
G.17	Application for permit renewal	1/permit cycle	December 31, 2010

SPECIAL CONDITIONS

S1. EFFLUENT LIMITATIONS

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge municipal wastewater at the permitted location subject to the following limitations:

	EFFLUENT LIMITATIONS[a]	
Parameter	**Average Monthly**	**Average Weekly**
Biochemical Oxygen Demand[b] (5 day)	30 mg/L, 22.2 lbs/day 85% Removal	45 mg/L, 33.3 lbs/day
Total Suspended Solids	75 mg/L, 81 lbs/day 85 % Removal	112 mg/L, 122 lbs/day
Fecal Coliform Bacteria	200/100 mL	400/100 mL
pH	shall not be outside the range 6.0 to 9.0	
Total Residual Chlorine	minimized[c]	
[a]The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
[b]The average monthly effluent concentration of BOD_5 shall not exceed 30 mg/L and 15 percent of the respective monthly average influent concentration.		
[c]Total Chlorine Residuals shall be maintained to sufficiently attain the fecal coliform bacteria limitations specified. Total chlorine residuals concentrations in excess of that necessary to reliably achieve these limitations shall be avoided.		

S2. TESTING SCHEDULE

The Permittee shall monitor the wastewater and sludge according to the following schedule:

Category	**Parameter**	**Units**	**Sample Point**	**Minimum Sampling Frequency**	**Sample Type**
Wastewater Influent	BOD_5	mg/L lbs/day	Influent[a]	1/week	24-hour composite
Wastewater Influent	TSS	mg/L lbs/day	Influent[a]	1/week	24-hour composite
Wastewater Effluent	Flow	MGD	Effluent[b]	Continuous	Measurement

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Effluent	pH	SU	Effluent[b]	5/week	Grab
Wastewater Effluent	BOD_5	mg/L lbs/day	Effluent[b]	1/week	8-hour Composite[c] – Grab
Wastewater Effluent	TSS	mg/L lbs/day	Effluent[b]	1/week	8-hour Composite[c] – Grab
Wastewater Effluent	Total Chlorine Residual	mg/L	Effluent[b]	5/week	Grab
Wastewater Effluent	Fecal Coliform Bacteria	#/100 ml	Effluent[b]	1/week	Grab
Wastewater Effluent	Temperature	°F	Effluent[b]	1/week	Grab
Wastewater Effluent	Dissolved Oxygen	mg/L	Effluent[b]	1/week	Grab
Wastewater Effluent	Ammonia (as NH3)	mg/L	Effluent[b]	1/month	Grab
Wastewater Effluent	Hardness (as $CaCO_3$)	mg/L	Effluent[b]	1/month	Grab

[a] The flume between the second and third lagoons is the location of effluent flow measurement.
[b] The effluent sample shall be collected near the outfall of the third lagoon.
[c] The 8-hour composite grab sample shall consist of 4 individual grab samples collected every 2 hours.

S3. MONITORING AND REPORTING

The Permittee shall monitor and report in accordance with the following conditions.

A. Reporting

Monitoring results obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department of Ecology (Department), to be submitted no later than the 15th day of the month following the completed reporting period. The report(s) shall be sent to the Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775. Monitoring shall be started on the effective date of the permit and the first report is due on the 15th day of the following month. This report is limited to the parameters specified in conditions S1 and S2.

B. Records Retention

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years. The Permittee shall retain for a minimum of five years all records pertaining to the monitoring of sludge. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Representative Sampling

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

E. Test Procedures

All sampling and analytical methods used to meet the wastewater monitoring requirements specified in this permit shall conform to the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 Code of Federal Regulations (CFR) Part 136, unless otherwise specified in this permit or approved in writing by the Department.

Sludge monitoring requirements specified in this permit shall be conducted according to test procedures specified in 40 CFR Part 503.

F. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations or at a minimum frequency of at least one calibration per year. Calibration records shall be retained for at least three years.

G. Laboratory Accreditation

All monitoring data, except for flow, temperature, settleable solids, conductivity, pH, and internal process control parameters, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 Washington Administrative Code (WAC). Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

H. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit (S2) using test procedures specified by Condition S3.E of this permit, then the results of this monitoring shall be included in the Permittee's self-monitoring reports.

I. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified.

1. All permit applications shall be signed by either a principal executive officer or ranking elected official.

2. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

    a. The authorization is made in writing by a person described above and submitted to the Department, and

    b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

3. Changes to authorization. If an authorization under paragraph I.2.b is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of I.2.b must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations."

S4. PREVENTION OF FACILITY OVERLOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded.

Average flow for the maximum month:	0.13 MGD
Peak daily flow:	0.38 MGD
Influent BOD_5 loading for maximum month:	148 lb/day

B. Plans for Maintaining Adequate Capacity

When the actual flow or wasteload reaches 85 percent of any one of the design criteria in S4.A for three consecutive months, or when the projected increases would reach design capacity within five years, whichever occurs first, the Permittee shall submit to the Department, a plan and a schedule for continuing to maintain capacity at the facility sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet this objective.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.

2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.

3. Limitation on future sewer extensions or connections or additional wasteloads.

4. Modification or expansion of facilities necessary to accommodate increased flow or wasteload.

5. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or wasteload.

The plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. The plan shall specify any

contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Notification of New or Altered Sources

The Permittee shall submit written notice to the Department whenever any new discharge or increase in volume or change in character of an existing discharge into the sewer is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the collection or treatment system; (2) would increase the total system flow or influent waste loading by more than 10 percent; (3) is not part of an approved general sewer plan or approved plans and specifications; or would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the system's ability to adequately transport and treat the added flow and/or wasteload.

D. Infiltration and Inflow Evaluation

1. The Permittee shall conduct an infiltration and inflow evaluation. Refer to the U.S. Environmental Protection Agency (EPA) publication, *I/I Analysis and Project Certification*, Office of Municipal Pollution Control, Wash. DC, 20460. Plant monitoring records may be used to assess measurable infiltration and inflow.

2. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from that found in the first report based on equivalent rainfall, the report shall contain a plan and a schedule for: (1) locating the sources of infiltration and inflow; and (2) correcting the problem.

3. The report shall be submitted by **February 1, 2007**, and **annually** thereafter.

E. Annual Assessment

The Permittee shall conduct an annual assessment of their flow and waste load and submit a report to the Department by **February 1, 2007**, and **annually** thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average dry weather and wet weather flows, peak flows, BOD, and total suspended solids loadings; and (except for the first report) the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The requirement for annual review and reporting may be waived by the Department if the reports do not indicate a need for review at that frequency.

S5. OPERATION AND MAINTENANCE OF MUNICIPAL FACILITIES

A. Certified Operator

In accordance with Chapter 173-230 WAC, the Permittee shall provide an adequate operating staff which is qualified to carry out the operation, maintenance, and testing activities required to ensure compliance with the conditions of this permit. An operator certified for a Class I plant by the state of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. A Class I operator shall be present at the facility during all shifts when operational changes are made to the treatment process.

B. O & M Manual

The approved Operation and Maintenance (O&M) Manual shall be kept available at the treatment plant. The O&M Manual shall contain the plant process control monitoring schedule. All operators are responsible for being familiar with, and using, this manual. The O&M Manual shall be updated as needed. Updated portions of the O&M Manual shall be submitted to the Department for review and approval.

C. O & M Program

The Permittee shall institute an adequate operation and maintenance program for their entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

D. Short-Term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause an exceedance of permit effluent limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, 30 days prior to such activities, detailing the reasons for, length of time of and the potential effects of the reduced level of treatment. If such a reduction involves a bypass, the requirements of Conditions G5 and S6 apply.

E. Electrical Power Failure

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes. The Permittee shall maintain Reliability Class II at the wastewater treatment plant, which requires primary sedimentation and disinfection.

F. Prevent Connection of Inflow

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

S6. CONSTRUCTION OR MAINTENANCE-RELATED OVERFLOW OR BYPASS

Bypasses of untreated or partially treated sewage during construction or maintenance shall be avoided if at all feasible.

If a construction or maintenance-related overflow or bypass is contemplated, the Permittee shall submit to the Department, not less than 90 days prior to the contemplated overflow or bypass, a report which describes in detail any construction work which will result in overflow or bypass of wastewater. The report shall contain: (1) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (2) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (3) the minimum and maximum duration of bypass under each alternative; (4) a recommendation as to the preferred alternative for conducting the bypass; (5) the project date of bypass initiation; (6) a statement of compliance with State Environmental Policy Act (SEPA); and (7) a request for a water quality modification, as provided for in WAC 173-201A-110.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Final authorization to bypass may be granted after review of the above information, in accordance with General Condition G5. Authorization to bypass will be by administrative order.

S7. RESIDUAL SOLIDS

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters.

S8. PRETREATMENT

A. General Requirements

The Permittee shall work cooperatively with the Department to ensure that all commercial and industrial users of the wastewater treatment system are in compliance with the pretreatment regulations promulgated in 40 CFR Part 403 and any additional pretreatment regulations that may be promulgated under Section 307(b) and reporting requirements under Section 308 of the Federal Clean Water Act.

B. Discharge Authorization Required

Significant commercial or industrial operations shall not be allowed to discharge wastes to the Permittee's sewerage system until they have received prior authorization from the Department in accordance with Chapter 90.48 Revised Code of Washington (RCW) and Chapter 173-216 WAC, as amended. The Permittee shall immediately notify the Department of any proposed new sources, as defined in 40 CFR 403.3(k), from significant commercial or industrial operations.

C. General Prohibitions

In accordance with 40 CFR 403.5(a), a nondomestic discharger may not introduce into the Permittee's sewerage system any pollutant(s) that cause pass through or interference.

D. Specific Prohibitions

In accordance with 40 CFR 403.5(b), the following nondomestic discharges shall not be discharged into the Permittee's sewerage treatment system.

1. Pollutants that create a fire or explosion hazard in the Publicly Owned Treatment Works (POTW) (including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21).

2. Pollutants that will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 standard units, unless the works are specifically designed to accommodate such discharges.

3. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the POTW.

4. Any pollutant, including oxygen demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

5. Heat in amounts that will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities such that the temperature at the POTW exceeds 40ºC (104ºF) unless the Department, upon request of the Permittee, approves, in writing, alternate temperature limits.

6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass through.

7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity which may cause acute worker health and safety problems.

8. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.

E. Notification of Industrial User Violations

The Permittee shall notify the Department if any nondomestic user violates the prohibitions listed in S8.C and S8.D above.

S9. EFFLUENT MIXING STUDY

A. General Requirements

If ordered by the Department, the Permittee shall determine the degree of effluent and receiving water mixing at the boundaries of a potential acute and chronic mixing zone that comply with WAC 173-201A-100. The degree of mixing shall be determined during critical receiving water conditions or as close to predicted critical conditions as reasonably possible. If mixing is determined at a time other than critical conditions, the time must be approved by the Department. The dilution ratio shall be measured in the field with dye, salt, or other tracers using study protocols specified in this section, or through the use of an appropriate computer model, or others approved by the Department. The use of models is an acceptable alternative or adjunct to a tracer study if the following condition is met:

The critical ambient conditions necessary for model input are known or will be established with field studies.

The use of mixing zone models is also required if it is not feasible to conduct tracer studies during periods of critical ambient and effluent conditions and the above condition are met. It is expected that computer modeling will be necessary to define the mixing within the zone of acute compliance, if one will be authorized.

The mixing data will be applied to effluent data to quantify pollutant concentrations within and at the edge of the mixing zone(s).

B. Reporting Requirements

If the Permittee has information on the background physical conditions or background concentration of chemical substances (for which there are criteria in Chapter 173-201A WAC) in the receiving water, this information shall be submitted to the Department as part of an effluent mixing report.

If the results of a mixing study, toxicity tests, and chemical analysis indicate that the concentration of any pollutant(s) exceeds or has a reasonable potential to exceed the State Water Quality Standards, Chapter 173-201A WAC, the Department may issue a regulatory order to require a reduction of pollutants or modify this permit to impose effluent limitations to meet the Water Quality Standards.

The Permittee shall use some method of fixing and reporting the location of the outfall and mixing zone boundaries [i.e., triangulation off the shore, microwave navigation system, or using Loran or Global Positioning System (GPS) coordinates]. The method of fixing station location and the actual station locations shall be identified in the report.

C. Protocols

The Permittee shall determine the dilution ratio using protocols outlined in the following references, approved modifications thereof, or by another method approved by the Department:

- Akar, P.J. and G.H. Jirka. 1990. *Cormix2: An Expert System for Hydrodynamic Mixing Zone Analysis of Conventional and Toxic Multiport Diffuser Discharges.* USEPA Environmental Research Laboratory, Athens, GA. Draft, July 1990.

- Baumgartner, D.J., W.E. Frick, P.J.W. Roberts, and C.A. Bodeen, 1993. *Dilution Models for Effluent Discharges.* USEPA. Pacific Ecosystems Branch, Newport, OR.

- Doneker, R.L. and G.H. Jirka. 1990. *Cormix1: An Expert System for Hydrodynamic Mixing Zone Analysis of Conventional and Toxic Submerged Single Port Discharges.* USEPA, Environmental Research Laboratory, Athens, GA. EPA/600-3-90/012.

- Kilpatrick, F.A., and E.D. Cobb. 1985. Measurement of Discharge Using Tracers. Chapter A16. *Techniques of Water-Resources Investigations of the USGS, Book 3, Application of Hydraulics.* USGS, U.S. Department of the Interior. Reston, VA.

- Wilson, J.F., E.D. Cobb, and F.A. Kilpatrick. 1986. Fluorometric Procedures for Dye Tracing. Chapter A12. *Techniques of Water-Resources Investigations of the USGS, Book 3, Application of Hydraulics*. USGS, U.S. Department of the Interior. Reston, VA.

- Yearsley, J. 1991. *Diffusion in Near-shore and Riverine Environments*. USEPA Region 10. EPA 910/9-87-168.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G3. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G4. NONCOMPLIANCE NOTIFICATION

If for any reason, the Permittee does not comply with, or will be unable to comply with, any of the discharge limitations or other conditions specified in the permit, the Permittee shall, at a minimum, provide the Department with the following information:

A. A description of the nature and cause of noncompliance, including the quantity and quality of any unauthorized waste discharges;

B. The period of noncompliance, including exact dates and times and/or the anticipated time when the Permittee will return to compliance; and

C. The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the noncompliance.

In addition, the Permittee shall take immediate action to stop, contain, and clean up any unauthorized discharges and take all reasonable steps to minimize any adverse impacts to waters of the state and correct the problem. The Permittee shall notify the Department by telephone so that an investigation can be made to evaluate any resulting impacts and the corrective actions taken to determine if additional action should be taken.

In the case of any discharge subject to any applicable toxic pollutant effluent standard under Section 307(a) of the Clean Water Act, or which could constitute a threat to human health, welfare, or the environment, 40 CFR Part 122 requires that the information specified in Sections G4.A., G4.B., and G4.C., above, shall be provided not later than 24 hours from the time the Permittee becomes aware of the circumstances. If this information is provided orally, a written submission covering these points shall be provided within five days of the time the Permittee

becomes aware of the circumstances, unless the Department waives or extends this requirement on a case-by-case basis.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the conditions of this permit or the resulting liability for failure to comply.

G5. BYPASS PROHIBITED

The intentional bypass of wastes from all or any portion of a treatment works is prohibited unless the following four conditions are met:

A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act and authorized by administrative order;

B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or temporary reduction or termination of production;

C. The Permittee submits notice of an unanticipated bypass to the Department in accordance with Condition G4. Where the Permittee knows or should have known in advance of the need for a bypass, this prior notification shall be submitted for approval to the Department, if possible, at least 30 days before the date of bypass (or longer if specified in the special conditions);

D. The bypass is allowed under conditions determined to be necessary by the Department to minimize any adverse effects. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

After consideration of the factors above and the adverse effects of the proposed bypass, the Department will approve or deny the request. Approval of a request to bypass will be by administrative order under RCW 90.48.120.

G6. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;

B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;

C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;

D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and

E. To sample at reasonable times any discharge of pollutants.

G7. PERMIT MODIFICATIONS

The Permittee shall submit a new application or supplement to the previous application where facility expansions, production increases, or process modifications will (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants, or (2) violate the terms and conditions of this permit.

G8. PERMIT MODIFIED OR REVOKED

After notice and opportunity for public hearing, this permit may be modified, terminated, or revoked during its term for cause including, but not limited to, the following:

A. Violation of any terms or conditions of the permit;

B. Failure of the Permittee to disclose fully all relevant facts or misrepresentations of any relevant facts by the Permittee during the permit issuance process;

C. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge controlled by the permit;

D. Information indicating that the permitted discharge poses a threat to human health or welfare;

E. A change in ownership or control of the source; or

F. Other causes listed in 40 CFR 122.62 and 122.64.

Permit modification, revocation and reissuance, or termination may be initiated by the Department or requested by any interested person.

G9. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under Condition G8 or 40 CFR 122.62 must report such plans, or such information, to the Department so that a decision can be made on whether action to modify or revoke and reissue a permit will be required. The Department may then require submission of a new application. Submission of such application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G10. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G11. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, detailed plans shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Facilities shall be constructed and operated in accordance with the approved plan.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G14. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G15. REVOCATION FOR NONPAYMENT OF FEES

The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G16. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G17. DUTY TO REAPPLY

The Permittee must reapply for permit renewal by **December 31, 2010**.